

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

Case No. 1:19-op-45068-DAP

*County of Douglas, State of Nebraska v.
Purdue Pharma, et al;*

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**STIPULATION AND [PROPOSED] ORDER
DISMISSING WITH PREJUDICE CLAIMS
PURSUANT TO NATIONAL SETTLEMENT AGREEMENTS**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Plaintiff, County of Douglas, State of Nebraska (“Plaintiff”) and Defendants McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation (collectively and together with their Released Entities, the “Settling Distributor Defendants”¹) that, pursuant to the election of Plaintiff to participate in the Distributor Settlement Agreement, which was announced on July 21, 2021, which is binding on Plaintiff and the Settling Distributor Defendants, and which has an Effective Date of April 2, 2022 (a copy of which is available at DN 4304), all claims of Plaintiff against any Settling Distributor Defendants, are hereby voluntarily

¹ The Released Entities are each and every entity of any of the Settling Distributor Defendants that is a “Released Entity” as set forth in Section I.HHH and Exhibit J of the Distributor Settlement Agreement, dated as of March 25, 2022, a copy of which is attached as Appendix A to DN 4304. Appendix B, also available at DN 4304, represents a good faith effort by the Settling Distributor Defendants to list all Released Entities that may be individually named in any of the Dismissing Plaintiffs’ complaints. Appendix B is not intended to limit the scope of Released Entities, and to the extent that Dismissing Plaintiffs or Settling Distributor Defendants subsequently identify any Released Entity that should have been included on Appendix C, available at DN 4304, they will inform the Clerk of the Court.

DISMISSED WITH PREJUDICE, with each party to bear its own costs. The Court shall retain jurisdiction with respect to the Distributor Settlement Agreement to the extent provided under that Agreement.

Dated _____ Respectfully submitted,

Agreed as to form and substance:

/s/Jayne Conroy
Jayne Conroy
SIMMONS HANLY CONROY
112 Madison Avenue, 7th Floor
New York, NY 10016
(212) 784-6400
(212) 213-5949 (fax)
jconroy@simmonsfirm.com

Plaintiffs' Liaison Counsel

**MCKESSON CORPORATION, d/b/a
MCKESSON DRUG COMPANY**

/s/Geoffrey E. Hobart
Geoffrey E. Hobart
Mark H. Lynch
Sonya D. Winner
Christian J. Pistilli
Covington & Burling LLP
One City Center, 850 Tenth Street, NW
Washington, DC 20001-4956
Tel: (202) 662-5097
*Counsel for Defendant McKesson Corporation,
d/b/a McKesson Drug Company*

AMERISOURCEBERGEN CORPORATION

/s/Robert A. Nicholas

Robert A. Nicholas
Shannon E. McClure
REED SMITH LLP
Three Logan Square
1717 Arch Street, Suite 3100
Philadelphia, PA 19103
Tel: (215) 851-8100
Fax: (215) 851-1420
rnickolas@reedsmith.com

smcclure@reedsmith.com
Counsel for AmerisourceBergen Corporation

CARDINAL HEALTH, INC.

/s/Enu A. Mainigi
Enu A. Mainigi
Jennifer G. Wicht
Steven Pyser
Ashley Hardin
WILLIAMS & CONNOLLY LLP
725 Twelfth Street NW
Washington, DC 20005
(202) 434-5000 / tel.
(202) 434-5029/ fax
emainigi@wc.com
Attorneys for Defendant Cardinal Health, Inc.

SO ORDERED this ___ day of April, 2022.

Hon. Dan Aaron Polster
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on , I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF system.

/s/Jayne Conroy
Jayne Conroy